

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

JOHNNY L. SEIB,

No. 3:19-cv-00892-AC

Plaintiff,

ORDER

v.

METROPOLITAN LIFE INSURANCE
COMPANY, and ALL OTHER
INTERESTED PARTIES,

Defendants.

HERNÁNDEZ, District Judge:

Magistrate Judge Acosta issued a Findings and Recommendation [33] on April 7, 2021, in which he recommends that the Court grant Defendant's Motion to Dismiss [25] with prejudice and without leave to amend. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Plaintiff filed timely objections to the Magistrate Judge's Findings & Recommendation. Pl. Obj., ECF No. 35. When any party objects to any portion of the Magistrate Judge's Findings & Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

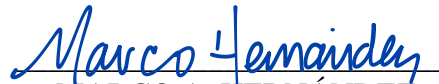
The Court has carefully considered Plaintiff's objections and concludes that there is no basis to modify the Findings & Recommendation. The Court has also reviewed the pertinent portions of the record *de novo* and finds no error in the Magistrate Judge's Findings & Recommendation.

CONCLUSION

The Court adopts Magistrate Judge Acosta's Findings and Recommendation [ECF No. 33]. Therefore, Defendant's Motion to Dismiss is Granted. Plaintiff's First Amended Complaint is dismissed with prejudice and without leave to amend.

IT IS SO ORDERED.

DATED: June 14, 2021.


MARCO A. HERNÁNDEZ
United States District Judge